

September 22, 2015

The Grant County Commission met at 8AM with Commissioners Buttke, Dummann, Mach, Stengel and Tucholke present. Chairman Tucholke called the meeting to order. Motion by Dummann and seconded by Buttke to approve the minutes of the September 1, 2015 meeting. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Stengel to approve the agenda. Motion carried 5-0.

The Auditor's account for the month of August was noted.

To the Honorable Board of County Commissioners, Grant County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of the County of Grant as of the last day of August, 2015

Cash on Hand	\$3,318.43
Checks in Treasurer's possession	
less than 3 days	\$28,320.49
Cash Items	\$68.40
<b>TOTAL CASH ASSETS ON HAND</b>	<b>\$31,707.32</b>

RECONCILED CHECKING

First Bank & Trust	\$961.29
Credit Card Transactions	\$1,778.74
First Bank & Trust (Svgs)	\$2,991,968.00

CERTIFICATES OF  
DEPOSIT

First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$257,178.91

<b>TOTAL CASH ASSETS</b>	<b>\$3,283,594.26</b>
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**GENERAL LEDGER CASH  
BALANCES:**

General	\$2,096,318.76
General restricted cash	\$553,152.00
Cash Accounts for Offices General Fund	\$1,605.00
Sp. Revenue	\$114,685.20
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$0.00
TIF Apportioning Northern	
Lights	\$0.00
TIF Milbank	\$0.00
TIF Northern Lights	\$257,178.91
Trust & Agency	\$260,654.39
(schools 28,925.66, twps 2,181.00, city/towns 4,622.80)	

**TOTAL GENERAL LEDGER CASH****\$3,283,594.26**

Dated this 10th day of September, 2015  
Karen M Layher  
County Auditor

The Sheriff's fees for the month of August were \$13,086.16 with \$3,486.18 receipted into the County's General Fund. The Register of Deeds fees for the month of August were \$7,723.25. The Clerk of Courts remittance fees for the month of August were \$8,579.04.

Members of the public present were Randy Kruse, Vince Meyer, Pat Meyer, Doug Wollschlager, Erland Carlson, Greg Kasuske, Tim Miller, David Kruger, Adam Hunt, Perry Dockter, Brian Lehr, Steve Farrell, Rusty Dimberg and Larry Ulrich.

**P & Z:** David Kruger, an alternate on the Planning and Zoning board informed the commission he would be resigning the alternate position upon the completion of the study group's review and recommendation to the commission on the CAFO section of the zoning ordinance.

**CapX2020:** Commissioner Stengel and Commissioner Dummann reported they had attended the ground breaking ceremony for the CapX2020 project held in Clear Lake on September 14 and stated this project is a good opportunity for growth in our area.

**Drainage:** Chairman Tucholke adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. Drainage administrator Krista Atyeo-Gortmaker presented the following permit applications.

Permit DR2015-20 by Doug Wollschlager in 32-118-48 (Adams). The request is to improve crop production. The outlet is on land farmed by Randy Kruse, owned by Erland Carlson whose signature has been obtained. NRCS letter is on file and the certified letter receipts have been received by the Drainage Officer. Motion by Stengel and seconded by Mach to approve DR2015-20. Motion carried 5-0.

Permit DR2015-21 by Greg Kasuske in 34-121-49 (Kilborn) is to improve the farm land. The signature of adjoining landowner Steve Storm has been obtained as the outlet is into a natural run which runs through the Storm's property onto other property owned by Greg. David Kruger spoke and indicated the tiling project would be beneficial to the township and the township officials had given their approval to dig tile through the township road. County Supt Schultz also indicated

the tiling project would cross a county road and he had given approval to cut through the county road. Vince Meyer questioned how much more water from drain tiling can the natural runs hold and consideration should be given to landowners on the eastern edge of the county as that area does not have a drop in elevation and the water floods the land. David Kruger related how during a large rain storm, the tile fills with water and is released at a slower rate over a course of a week. The land that is tiled has not flooded and the water is released slower into the natural run. Motion by Dummann and seconded by Buttke to approve DR2015-21. Motion carried 5-0.

Permit DR2015-22 by Greg Kasuske in 28 & 33-121-49 (Kilborn). This tiling project receives the water from Greg's permit DR2015-21 going through the Steve Storm property onto his. The outlet is into the creek and moves downstream onto land owned by Greg. Krista reported all the paperwork is in order. Motion by Dummann and seconded by Stengel to approve DR2015-22. Motion carried 5-0.

The Drainage Officer informed the drainage board of the investigation of a complaint filed in her office of a berm holding back the natural flow of water on an established run under the control of the Army Corp of Engineers. This is in Section 30 of Vernon Township. The investigation is progressing to reach a positive conclusion after the bean harvest and before the ground freezes.

Kilborn Township Supervisor David Kruger explained a cooperative culvert replacement project is being discussed between Kilborn and Melrose Townships. The project location is ¼ mile south of 143<sup>rd</sup> St and 473<sup>rd</sup> Ave. There are four culverts and one flat bottom culvert at this site. The flat bottom is in good condition and the other four culverts are rusted out and need to be replaced as the road is starting to cave in. The townships are looking at four different options for the size of the replacement culverts and because the replacement culverts are not the same size as the current ones, approval is needed from the drainage board as the increase in the diameter affects the water output. The board stated they were in agreement the culverts needed to be replaced, but asked the township supervisors to agree on the size of culverts to be installed and to present that option at a future meeting for approval.

This concluded the business for the drainage board. Chairman Tucholke adjourned the Drainage Board and reconvened the Board of Commissioners.

**Consent:** Motion by Mach and seconded by Buttke to approve the consent agenda as presented. Motion carried 5-0.

1. Approve plat:

2015-28  
Resolution

BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota, that the plat entitled: “**Johnson Addition located in the SE 1/4 of Section 2, Township 119 North, Range 48 West of the 5<sup>th</sup> P.M., Grant County, South Dakota,**” which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated at Milbank, South Dakota, this 22nd day of September, 2015.

Clayton Tucholke, Chairman  
Board of County Commission  
Grant County, South Dakota

ATTEST:

Karen M. Layher

County Auditor, Grant County, South Dakota

2. Approve items to be declared surplus: Wall Mount Projection Screen, asset number 1608
3. Approve volunteer Vicki Torgerson for the Big Stone City Branch Library effective 9 -2-15
4. Approve Step increase for Treasurer Deputy Sally Heinje from 6 months step to step 1(year) effective 9-22 at a rate of \$15.15 per hour
5. Approve Step increase for Treasurer Deputy Karla DeVaal from 6 months step to step 1 (year) effective 10-01 at a rate of \$14.55 per hour
6. Approve Step increase for Dispatcher Andrew Pillatzki from 6 months step to step 1 (year) effective 9-10 at a rate of \$13.50 per hour
7. Approve auto supplement to 101-511 Library for the amount of \$2,317.52 for insurance proceeds due to water damage

8. Approve auto supplement to 101-611 Extension for the amount of \$173.68 for programming materials
9. Approve 1 year renewal contract with Esri for Arcview software for \$1000
10. Approve signing the documents for the 2016 State & Local Agreement for EM grant funding

**Highway:** Commissioner Mach reported he had gone to Twin Brooks to look at the site for the approach entering onto the county road from the parking south of Gunslinger's. Supt Schultz stated the request also includes installing rails on each side of the approach. A discussion was held on the liability concerns and the issue of the ditch being in the city limits of Twin Brooks. Chairman Tucholke requested a council member from Twin Brooks, a representative from Gunslinger's and the States Attorney be invited to a meeting in October to discuss the request.

Supt Schultz requested a speed limit resolution be approved for the mile of road at the corner of Henze Addition going south as he has had requests for a slower speed for that section of road. Motion by Mach and seconded by Stengel to approve the following resolution. Motion carried 5-0. Resolution adopted.

**A Resolution to Establish a Speed Limit  
Resolution 2015-29**

A resolution establishing speed limitations on specified sections of 480<sup>th</sup> Avenue (AKA County Road 31) located in Alban Township, Grant County, South Dakota.

WHEREAS, Grant County recognizes a responsibility to determine and establish speed zones upon the highways within its jurisdiction pursuant to SDCL 32-25-9.1.

NOW THEREFORE, BE IT RESOLVED by Grant County that no person shall drive a vehicle upon 480<sup>th</sup> Avenue (AKA County Road #31) beginning at the intersection of 149<sup>th</sup> St and 480<sup>th</sup> Ave and ending at the intersection of 480<sup>th</sup> Ave and 150<sup>th</sup> St in excess of forty miles per hour.

BE IT ALSO RESOLVED, that such speed zones shall be conspicuously posted at the beginning and ending of the zone, and

BE IT ALSO RESOLVED, that a violation of this resolution is a class 2 misdemeanor, punishable by a term of imprisonment not to exceed thirty days in the county jail or a fine not to exceed two hundred dollars, or both.

Dated this 22<sup>nd</sup> day of September, 2015.

Clayton Tucholke, Chairman  
Board of Commissioners

ATTEST:

Karen M. Layher  
Grant County Auditor

BIDS FOR FUEL

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
08/11	UPI			1.959
	Cenex			2.10

UPI was the low bidder for Diesel #2 at 1.959.

08/24	UPI	2.11		1.916
	Cenex	2.52		2.10

UPI was the low bidder for Ethanol at 2.11 and for Diesel 2 at 1.916.

**Lease:** Motion by Dummann and seconded by Buttke to approve a lease agreement with the State of SD for office space in the courthouse for personnel from the Dept of Agriculture with the rent set at \$120 per month. The contract period is 10-1-2015 to 9-30-2017. Motion carried 5-0.

**Hospital Bonds:** Bond council for the hospital building project requested the commission to pass a resolution to change the date of the issuance of the bonds from 2014 to 2015. The issuance of the bonds is conduit debt. The county is not responsible for the repayment of the bonds. Motion by Stengel and seconded by Buttke to adopt the following resolution. Motion carried 5-0. Resolution adopted.

RESOLUTION NO. 2015-30

WHEREAS, the County in 2014 authorized the issuance of Economic Development Revenue Bonds for Northeastern South Dakota Health Plan which were intended to be issued in 2014; and

WHEREAS, the borrowing was delayed until 2015.

NOW THEREFORE BE IT RESOLVED that Resolution 2014-30, Section 3 be amended to reflect that the Bonds are to be dated in 2015 and be designated as Series 2015A.

September 22, 2015.

Clayton Tucholke

Chairman

ATTEST:

Karen M. Layher

County Auditor

**Library:** Auditor Layher reported the Library carpet replacement project will begin October 9 and the library may be closed for a few days during carpet installation.

**Transmission Line:** Perry Dockter had questions on wind power lines crossing over county roads using a running corner. He discussed with the commission his questions about the running corner by the Carr and Lehr residences as well as his own residence. The Commission stated any utility lines crossing the county's right-of-ways would need a Right-of-Way Occupancy Permit and would need the Commission's approval. The Commission will take their concerns under advisement.

**Rubble Site:** Rusty Dimberg informed the commission he had been contacted by the SD DENR concerning his rubble site located in section 20 of Big Stone Township and that he needed to bring the site into compliance with SD laws. On the list of items of Mr. Dimberg's checklist from DENR is a resolution from the Commission stating the rubble site has been approved by the county. Chairman Tucholke stated the request should be presented to the Planning and Zoning Board for the approved permits as required under the ordinance, but a question surfaced if the site was grandfathered due to the age of the site. P & Z Officer Krista will review the issue and report back to the commission.

**Sheriff:** The following statistics for the month of August for the Detention Center and Sheriff's Office were presented. Average Daily inmate population 5.41; Number of bookings 26; Work release money collected \$450.00; 24/7 Preliminary Breath Test (PBT) fees collected \$159.00; SCRAM (alcohol detecting bracelet) fees collected: \$100; 24/7 PBT participants 7; SCRAM (Sobriety Program) participants 2; Calls for Service (does not include walk-in traffic) 77; Accidents investigated 7; Civil papers served 41; Cumulative miles traveled 4,959; 911 calls responded to (including Milbank) 100.

**VSO:** Information on needed repairs to the 1990 Ford Van gifted to the county was received from VSO Scott Malimanek. Hwy Supt Schultz will be contacted to work on the needed repairs.

**GOED Grant:** A letter was received from the Governor's Office of Economic Development informing the commission the grant application for the Local Infrastructure Improvement Program grant for 6 miles of asphalt overlay on County Road 8 was not approved. The grant request was for \$500,000.

**2016 Budget:** The Commission continued to review expense projections for the highway fund and the cash applied figure for the 2016 budget in preparation of the final adoption of the 2016 budget on September 30.

**Executive Session:** Motion by Dummann and seconded by Stengel to enter into executive session at 10:40 AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2 (1). Motion carried 5-0. Auditor Layher was present. Chairman Tucholke declared the meeting open to the public at 10:52 AM. No action taken.

**Unfinished Business:** None

**New Business:** A proposal for tuck-pointing repair for the courthouse from Mid Continental Restoration was received and given to Commissioner Buttke to review.

**Correspondence:** None

**Claims:** Motion by Mach and seconded by Stengel to approve the claims as presented. Motion carried 5-0. A-OX WELDING, supplies 4,774.63; AL'S BODY SHOP, repair & parts 550.00; AVERA-MILBANK AREA HOSPITAL, prof service 364.00; BIEN PHARMACY, prisoner care 24.22; BORNS GROUP, mailing expense 1,028.77; BRENDA L HOLTQUIST, prof service 77.00; BREWSTER, supplies 39.14; BUREAU OF INFO & TELE, internet & email 440.00; BUTLER, parts 2,100.65; CENTER POINT, books 298.98; CENTURYLINK, phone 584.41; CHIROPRACTIC IN MOTION, prof serv 60.00; CITY OF MILBANK, water, sewer & dump site 52.50; CITY OF WATERTOWN, 911 surcharges 6,223.58; CNH INDUSTRIAL, parts 82.00; CONSOLIDATED READY MIX, hwy project 21,665.83; EASTSIDE CAR WASH, car wash usage 128.62; KELLY KUTTERS, prof serv 425.00; DESIGN ELECTRONICS, supplies 29.99; DETCO, supplies 2,367.60; DIESEL MACHINERY, parts 658.83; ENGELSTAD ELECTRIC, parts 25.58; EQUIPMENT BLADES, hwy blades 1,027.12; FEDERAL LICENSING, ref mat



119.00; FEDEX, mailing expense 27.30; FISHER SAND & GRAVEL, rip rap 398.55; THE FLOWER SHOPPE, supplies 45.00; FREMAREK, supplies 169.99; G & K SERVICES, supplies 209.83; DEPENDABLE CRANE, hwy project 523.50; GRANT CO EC & DEV BD, allocation 8,750.00; GRANT CO HIST SOC, allocation 4,978.00; GRANT CO SHERIFF, postage 17.21; GRANT CO TREASURER, fees 10.00; GRANT CO REVIEW, publishing & supplies 1,700.45; GRANT-ROBERTS RURAL WATER, water 36.40; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; HARTMAN'S, prisoner groceries 414.62; HEDAHLS, supplies 10.85; HOLIDAY INN EXPRESS, rooms 901.94; INGRAM, books & AV 920.72; INTER-LAKES COMM ACTION, worker 2,203.58; ITC, 911, phone & internet 1,088.78; BATMOBILE WIRELESS, phone 50.30; LABOLT DEVELOP CO, rent & internet 70.00; TRAPP PLUMBING, repair 235.11; STREET GRAPHEX, signs 40.00; MCLEOD'S, election supplies 487.20; MICROFILM IMAGING, scanner rent 307.00; MIDCONTINENT COMMUNICATION, internet 68.90; MILBANK AREA CHAMBER, allocation 1,000.00; MILBANK FIRE DEPT, allocation 750.00; MILBANK LUMBER, supplies 203.19; MILBANK WINWATER WORKS, parts 31.24; MINNEHAHA CO AUDITOR, co assistance 27.00; NELSON LAW OFFICE, allocation 3,633.00; NORTHWESTERN ENERGY, nat gas 30.00; OFFICE PEEPS, supplies 307.31; OTTER TAIL POWER, electricity 3,077.90; QUICK PRO LUBE, parts 56.50; RC TECHNOLOGIES, 911 & tower rent 95.96; REGENCY MIDWEST, rooms 773.94; RUNNINGS, parts 171.78; SCHUNEMAN EQUIP, parts 9.44; SD DEPT OF REVENUE, BLAB 175.00; SD SECRETARY OF STATE, notary bond 30.00; SDSU EXTENSION, regis 20.00; SEEHAFFER HARDWARE, supplies 125.82; SOUTH SHORE AMBULANCE, allocation 750.00; ST WILLIAMS, prisoner laundry 149.40; TREVETT'S, prisoner meals 556.50; TRUENORTH STEEL, hwy projects 1,944.16; TWIN VALLEY TIRE, repair 187.75; TYLER COMPUTER, supplies 257.50; UPI, ethanol & diesel fuel 16,145.72; VALLEY OFFICE, supplies 1,763.97; VALLEY SHOPPER, publishing 188.37; VERIZON, hotspot 38.52; VISA, gas, room, supplies, books 163.07; WESTERN SURETY CO, notary bond 50.00; WHETSTONE VALLEY ELECTRIC, electricity & repair 623.91; WITTROCK & SON, garbage service 159.00; WLH INVESTMENT, rooms 407.96; XEROX, copier rent 991.14. TOTAL: \$104,166.06.

SDACO, ROD Modernization fee 268.00; SD ATTORNEY GEN, SCRAM fee 160.00. TOTAL: \$428.00.

It is the policy of Grant County, South Dakota, not to discriminate against the handicapped in employment or the provision of service.

The next scheduled meeting dates will be September 30 and October 6 and 20, 2015 at 8 AM. Motion by Mach and seconded by Buttke to adjourn the meeting, motion carried 5-0. Meeting adjourned.

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Karen M. Layher, Grant County Auditor

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Clayton Tucholke, Chairman, Grant County Comm.